

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:

FRANK E. OETLINGER

Serial No.: 10/035,732

Filed: December 26, 2001

Examiner: Michelle Lopez

Art Unit: 3721

FLUSH MOUNTED PRESSER
ASSEMBLY

CERTIFICATE OF MAILING

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Amendment - No Fee, Commissioner for
Patents, P.O. Box 1450, Alexandria, VA
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Christine Kierzek

Christine Kierzek 4-21-04
Signature Date

RESPONSE TO OFFICE ACTION

Mail Stop - Box Amendment - Fee
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22231-1450

Sir:

Responsive to the Office Action dated January 30, 2004, Applicant respectfully requests reconsideration in view of the following comments.

The Examiner has rejected all of the pending claims, namely, 1-3 and 16-23, as either being anticipated or rendered obvious in view of Myers et al., U.S. Patent No. 6,659,927. In order to overcome the Examiner's rejection, applicant files herewith the Declaration of Frank E. Oetlinger, the inventor of the above-identified application, under 37 CFR § 1.131. In such Declaration, Mr. Oetlinger declares that conception of the flush mounted presser assembly described and claimed in the above-identified application occurred prior to the effective filing date of April 30, 2001 of the Myers et al., '927 patent. Oetlinger Declaration, Paragraph 3. In support of his Declaration, Mr. Oetlinger provides true and correct copies of electronic drawings of the flush mounted presser assembly in accordance with the present that were completed prior

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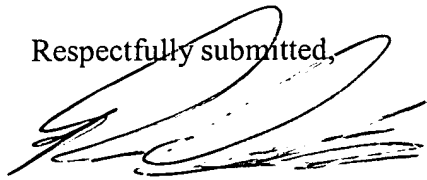
U.S. Serial No.: 10/035,732
Group Art Unit: 3721
Inventor: Frank E. Oetlinger
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to April 30, 2001 the effective filing date of the Myers et al. '927 patent. Oetlinger Declaration, Paragraphs 4-5. Further, Mr. Oetlinger has declared that during the time period after initial conception of the invention, up to and including the date of the filing of the above-identified patent application, that he worked diligently in developing the invention with no lapses occurring therebetween. Oetlinger Declaration, Paragraph 7.

In view of the foregoing, it is believed that applicant has established invention of the subject matter of claims of the pending invention prior to the effective filing date of the Myers et al., '927 patent. As such, it is believed that the Myers et al. '927 patent is not prior art to the present application and withdrawal of the Examiner's rejections to the pending claims under 35 U.S.C. § 102e and 35 U.S.C. § 103a is respectfully requested:

Applicant believes that the present application of claims 1-3 and 16-23 is in proper form for allowance and such action is earnestly solicited.

Respectfully submitted,



Peter C. Stomma
Registration No.36,020

Dated: 4/21/04

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